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The Council held a hybrid meeting with Councilors Julie Olson and Karen Dill Bowerman, Chair, present via WebEx and Councilors Temple Lentz, Gary Medvigy, and Richard Rylander present in the Council's Hearing Room, 6th floor, Public Service Center, 1300 Franklin Street, Vancouver, Washington.

PUBLIC HEARING: 2021 BUILDABLE LANDS REPORT

The Council considered the Buildable Lands Report, which is Clark County's evaluation of the adequacy of the remaining suitable residential, commercial, and industrial land supply within urban growth areas to accommodate projected growth at observed development densities. This report satisfies the Growth Management Act requirement of RCW.70A.215(2)(b) for the 2021 buildable lands review and evaluation report from Clark County due by June 30, 2022. *Hearing Continued from April 19, 2022.*

BOWERMAN: And now we turn to the public hearing on the 2021 Buildable Lands Report. We'll begin with the staff report led by Oliver and Jose. And, Oliver, would you like to begin?

ORJIAKO: Yes. Good morning, Madam Chair and Councilor members. Again, for the record, Oliver Orjiako. And with me, we have Jose Alvarez, our Project Manager on this particular item. We also have Bob Pool, the County GIS Manager online, as well as legal counsel Ms. Chris Cook.

Before Jose takes over, I just want to make a very brief remark and then turn it over to Jose. The Buildable Lands Report hearing I think the Council is aware began on February 15 and

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was continued to March 1st and then continued to April 19th and we are here today June 7th.

Since then staff has edited the Executive Summary of the report and those edits can be found on Page 2 through 4 of the report and there were other minor edits citing the appropriate Revised Code of Washington and other spelling errors we found.

Following those dates that I mentioned, at the Council meeting on May 18th, 2022, Council discussed certain assumptions in the Vacant Buildable Lands Model particularly residential densities and off-site infrastructure for parks and schools. Council directed staff to use the actual density figures from issued from the local jurisdictions during the 2016 to 2020 time frame. A motion to remove the deduction of approximately 21 percent of aggregate residential land assume to convert to parks and schools did not pass.

So today staff is anticipating that there will be additional discussion on the VBLM assumptions and direction to staff which we would like to incorporate in the report and present that with adopting resolution for the Council and the public to consider on June 21st before our submittal to the State Department of Commerce by June 30th, 2022, to meet our deadline.

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So with that brief remarks, I will turn it over to Jose and see if he has any additional presentation to give. Thank you, Councilors. And as I said, both myself, Jose and Bob and Chris are here to answer questions that Council may have. Jose.

ALVAREZ: Thank you, Oliver. Good morning, Councilors. Jose Alvarez for the record. Yeah. I think Oliver pretty much covered the remarks that I was going to make. We're here to answer any questions that you may have about all of the information you've received since the February 15th hearing. And if you want me to put anything -- any of the information or documents up, I can do that.

BOWERMAN: Are there questions from Council?

OLSON: Madam Chair.

BOWERMAN: Yes, Councilor Olson.

OLSON: Thank you. Yeah, I just have a couple of questions before we get to public comment. Jose, you sent over last week, I think, to us Exhibit 1. It kind of was that spreadsheet where we had all the BLPAC recommendations and then what Council direction had been at that point. Can you put that up because I just have a couple of questions on some of those line items for

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now.

ALVAREZ: Okay. If I can get permission to share my screen.

OLSON: And then is Bob Pool on as well today?

ALVAREZ: Should be, yes.

OLSON: Okay. So maybe while that's coming up, one of the questions, we talked about this on the 18th, but I want to revisit it again today is this discussion of schools and park lands and, Bob, you answered that at our work session or our Council Time, but could you re-address that please.

I think staff is concerned that that the 7.9 percent deduction and the 12.8 percent deduction is going to be a problem in this report and I just want to get a better understanding and have on the record again why we're -- where is the concern there and why that does not -- is not supported in the data that we've seen so far.

POOL: Thank you, Councilor Olson. This is Bob Pool. I'm the GIS Manager and I've done a lot of the forecast actual reviews of the model.

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When we look at the schools and parks deduction, the off-site infrastructure, the request was there would be a 20 percent deduction where it just gets added in with all the other deductions, the market factor, and critical. So, overall, it ends up being about a -- there's not really a true 20 percent deduction, but we can look at that, then, in the context of what's actually happened.

When we looked at the conversion of land to schools and parks over time, we find that schools and parks come out of land outside the UGA. They come out of industrial. They come out of commercial. We find that schools have set aside land and sit on it. We find that in Vancouver, like VSAA or downtown Vancouver, they are expanding their schools and have large campuses with multiple buildings on it so we're just not seeing a lot of land consumed.

You also don't see a pattern of where we build 100-acre subdivision and there's 20 acres of that turns into schools and parks. It's very disconnected, and I'd say schools and parks also come from, you know, the constrained land. The parks come from constrained land. They come from industrial. They come from commercial. They come outside the UGA. They are not all coming from residential land and there's not a consistent pattern again. I mean, schools and parks happen independently

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under residential development.

There's some targets and goals that we want to serve the residential population, but it's not actually coming just out of the residential lands. Looking back the past five years, we've seen Vancouver had 100, had the most residential lands converted to housing and they actually had a loss of schools and parks over that time period. And we did find that Camas added 90 acres of park land (microphone cut off) of schools and parks.

One jurisdiction added a bunch of parks and that made it look like it was about 12 percent. If you're looking at that 20 percent approach, it was about a 12 percent over the past five years all due to Camas' addition of parks. I hope that gives you an understanding of what I've kind of found. Did you have another area you'd like me to address, Councilor?

OLSON: Yeah, thank you for that. And that's pretty much what you had said to us on the 18th, but I just want to make sure we had it on the record here.

So I'm curious also about this conversation around infrastructure set asides, and I know historically, at least in the last VBLM, we used 27 and a half percent. I think we have a project team recommendation of 31 and a half percent, but we

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also have a recommendation from the building community of 34 percent.

Can you just address, you know, where we get to 31.5 and if we can get to 34 or where that challenge might be in terms of that infrastructure set aside number.

POOL: Well, I've -- I find that infrastructure for subdivisions or plats has always been a challenge. You have several things that happen inside of a plat. You have right-of-way. You have parcels of houses and you have tracts. And tracts are set asides for stormwater or they might just be for open space or some other reason they set aside these tracts.

And the discussion with the BLPAC and others we keep trying to split these tracts into stormwater and some other use and then we try and say that some of the stormwater we count and then the part that's open space we don't count, but we don't say where that stuff goes, and in knowing that approach, we're able to get to the 31.4 I believe it was.

Looking at what's available in GIS right-of-way, tracts, parcels, it comes up to 27.7 but it's a really fuzzy number, and why it's a fuzzy number is a plat, for example, with all its roads and tracts can be replatted. And when you replat that,

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you leave out the roads and the tracts that are already built, so you get another plat that has absolutely no infrastructure and the original plat has even more infrastructure and we actually found a ton of this replatting happened at the end of the great recession in '8 and '9. All these big plats were replatted so it just creates a wide range.

When we look at it, we have a large number of plats and the mean is going to sit there right at 27 and a half, 27.7 because it's just a lot of records and it just doesn't move with a few years of difference, but that's the calculation that we can do in GIS. That's where we're at.

We can say there's a lot of noise around that, and I would agree with that and it would be easy to say let's bump it on up to something higher, but I'm suggesting that we should keep the forecast to actual checks, things that we can do in GIS. We shouldn't have classifications of the tracts into wetlands and other things that GIS staff are not able to parse out based on the information presented in the plat.

So that's kind of the two issues we have. How do we do that forecast to actuals and then what's the number we're going to select.

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OLSON: All right.

BOWERMAN: Oliver, I had a question on your comments. You had said that on June 21st you would be returning to Council and I wondered what will you be bringing at that time and what will be the purpose of our dialogue then?

ORJIAKO: Thank you, Madam Chair. I think I'm anticipating that the Council will give us or make some changes or direction to staff today. If you do that, staff will then go away and work with Bob Pool to calibrate the model based on any direction you give us today.

We would like to return back to the Council and present that report to you and to the public as well as an adopting resolution that we will then all submit to the State. That is the reason why I'm making that suggestion.

BOWERMAN: I see. Thank you very much. Are there other aspects of the staff report that you wish to present now?

RYLANDER: Chair, I have a couple of --

ORJIAKO: No. No. No, Madam Chair. I think I mentioned the edits that was done to the Executive Summary which we have cited

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the pages where there are other minor edits that was made and we have also included the one recommendation you made at the Council Time of May 18 and I think Councilor Olson, if I recall, is asking Jose to share Exhibit 1. So I don't know. I don't have anything else to present. Jose, do you?

BOWERMAN: Okay. Very good. I would like us to move into the public hearing if there is no further staff report at this time. Okay. Let us go to the public testimony. And I will simply introduce with this comment.

This is the time for any community member who wishes to provide public testimony on the public hearing that deals with the 2021 Buildable Lands Report. For the court reporter, Cindy Holley, who is here today, we ask that you state your name and spell your last name before you begin speaking.

If you wish to speak, please sign in with staff. Use the raised-hand icon if you're on your computer or star 3 if you are calling in. We will begin with those in person and then we will move to virtual testimony. You'll have three minutes to speak and at the end of three minutes please note that your microphone may be automatically muted.

Staff, would you like to begin calling on individuals who are present in the hearing room?

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PHILLIPS: Yes. Jen Baker, if you're here, please come up.

BAKER: Hello. Jennifer Baker, B-a-k-e-r. President of the Columbia River Economic Development Council. Today I'm here on behalf of the invisible stakeholders, the future companies that CREDC will relocate to the region and the existing companies that would like to realize future growth here.

As a public/private nonprofit organization, CREDC works to bring more employers and more higher wage, higher skill employers to Clark County. New companies bring additional tax bases and long-term economic stability.

As you digest CREDC stakeholder comments today, I invite you to ask yourselves to what extent are you confident that the employment land inventory will convert to realize the number and types and jobs that create a stable economy and tax bases for reinvesting in our community.

In the VBLM data, specifically the critical lands likely to convert acreage, if a significant amount of that acreage never converts, what are the impacts on business recruitment and retention activity? From VBLM and BLR draft, we see that the County's analysis prescribes no new land introduced to the

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employment lands inventory until after 2035.

Given current land inventory difficulties that CREDC confronts when citing business interests, the absence of new and/or improved quality employment land until after 2035 will continue to stifle our recruitment effort particularly in the manufacturing sector. In the last 17 months, we've been unable to place 13 employers, each seeking a site of 20 acres or more and each with the potential of yielding more than 100 jobs and as many as 3,000.

When we test the critical industrial and critical commercial conversion assumption, we see across the inventory that these assumptions are off the mark. The difference between the model and reality culminates not only the amount of the employment land but the availability of that land in practice.

With the diminished quality of the employment land inventory, we find that sites have been -- that have been for sale for 30 years, even in the time of one to three percent industrial vacancy rate, these sites are not selling, calling into question the on the ground accuracy of the critical lands factors when 30 percent of the employment land which is zoned critical and the State's Senate Bill 5593 suggests less than 15 percent. We should be more concise with tested and adopted conversion

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assumptions.

The consequence for adopting optimistic mal-aligned assumptions is estimated to create a deficit of 1674 viable employment acres and 19,392 corresponding jobs. We have recommendation of two actions to be considered which other peers will share.

PHILLIPS: Thank you. Next I have Tim Schauer, Schauer maybe, sorry if I mispronounced that.

SCHAUER: Thank you. Yes. Tim Schauer. Need a taller mic. I'm a tall guy. Thank you, Chair and Council. My name is Tim Schauer.

BOWERMAN: Tim, would you please spell Schauer for us.

SCHAUER: I will. My name is Tim Schauer. Last name S-c-h-a-u-e-r. Do you need an address or no?

BOWERMAN: No.

SCHAUER: Okay. Thank you. I'm here to advocate, even plea, for the County Council to revise just three assumptions in the employment lands model for the Clark County's VBLM.

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The assumptions I ask you to revise are the assumption that 100 percent of all mapped noncritical industrial commercial lands will develop or convert. We ask you to revise the assumption to just 90 percent of those noncritical lands.

We also ask you to revise the assumption that 80 percent of all mapped critical commercial lands will also convert or develop. We ask you to revise this assumption to just 10 percent of those critical lands converting.

We also ask that the assumption that 50 percent of all mapped critical industrial lands will convert or develop. We ask you to reverse this or to revise this assumption to 10 percent as well.

While these three aggressive assumptions may have been more valid in the past 20 years, they are no longer reasonable, no longer realistic, and frankly out of sync with our communities values. In the current model, it is not the lack of employment land; it is the lack of quality, viable developable land in the model to compute accurately.

MacKay Sposito the firm I work for conducted a case study for all employment lands in West Camas, the Cascade Business Park, Grass Valley area where we have a high tech sector. We feel

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this study has applicable merit and compels us to question key assumptions of the county's employment land inventory model.

Our conclusion, the model's prediction is precise but not accurate and the consequences will be significant if not dire for our region in the future. To perpetuate the use of these current assumptions will severely underserve this communities need and opportunity to retain and recruit employers to this region.

The foundation of all of our shared economic prosperity for all residents of all walks of life is based on having enough jobs for everybody who wants one and having enough -- and having a job close to where you live.

All noncritical lands will not develop. Some of this acreage is too small, environmentally isolated or geographically -- or not geographically viable. 100 percent assumption for noncritical is not valid. We should not base our assumptions on pressuring the market or expecting employers to fill wetlands or remove habitat to create jobs. 80 and 50 percent conversion rates are not reasonable. Beyond a conflict with our environmental values, the prospect of filling critical areas is long, expensive, and unreliable. Time, cost, mitigation for employers are not viable at this scale.

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It is all of our collective responsibility and your burden to ensure this community has the adequate land inventory and the tools needed to provide local employment opportunities for the current and future residents of Clark County. Thank you.

PHILLIPS: Thank you. And next I have Mayor Steve Hogan. If you're ready, please go ahead.

HOGAN: I am. Thank you. Can you hear me?

PHILLIPS: Yes, we can.

HOGAN: Thanks for letting me address the Council. We had that (inaudible) --

HOLLEY: I'm sorry. I can't hear what he's saying. He's echoing like I am.

BOWERMAN: Staff, there is an echo. Can you by chance stop that echo?

PHILLIPS: Yes, just one second here. Okay. Sorry, about that. Mayor Steve Hogan, if you could restart, please.

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HOGAN: Can you hear me?

BOWERMAN: Yes.

PHILLIPS: Yes, we can.

HOGAN: Thank you. I hope it's better. And I want to thank you for allowing me to speak and we did a study through the CREDC and MacKay Sposito of the Grass Valley area and Tim was just talking about it.

We have 362 acres that are in the manufacturing or industrial category and of that 362 acres, when you took out the critical areas and the wetlands, the usable or developable acreage was 144 acres out of that 362. And on the jobs that the Vacant Buildable Lands Report has that says that that 362 acres would result in 5,767 jobs. Actually, 37 percent of the jobs would be realized which is 2,155, so we lost well over 3,000 of the jobs that that land could potentially yield.

And as a city, Camas has had a history of targeting preserving land that will be available for industrial and manufacturing purposes and our targets of 20 percent of shooting where we're trying hard to hit that, but when you look at what actually is available, it's consistent with many of the businesses that have

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tried to locate in Camas in the last couple of years that have actually gone on to the property and said, no, this isn't going to work for us.

So I'm asking you to reconsider, to try to use the methodology that MacKay Sposito was using to really look at not only the City of Camas on the usable industrial land that actually will net out, but also you might want to look at the rest of the county because I suspect that Battle Ground will have the same problem.

And the jobs are critically important. There in the, you know, county there's a lot of people advocating for houses, but jobs are what really give people good incomes to buy those houses and we need to set aside a proper amount of land.

And when I was doing site looking when I was expanding our businesses in steel and paper, it took 18 months and three years to actually prepare land if we wanted to have wetlands on it and companies just are not accepting that. They won't do that.

So that's my plea is that you would take a look at this and I realize the County staff is overburdened and under pressure and thanks for your efforts but I'd really like the Council -- County Council to see what the new results would be

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if we did the study the way MacKay Sposito did. So thank you very much.

PHILLIPS: Thank you. Next I have Justin Wood, if you're ready.

WOOD: Good morning, Chair Bowerman and fellow Councilors. My name is Justin Wood, W-o-o-d, and I'm here speaking on behalf of the Clark County Association of Realtors.

According to a recent study by ECONorthwest, Washington State has the lowest housing unit to household ratio in the nation. Given this vast deficit of housing, our community must ensure that we have ample buildable land to build much needed new housing. Without this, the cost of housing will continue to increase. Clark County's own comprehensive plan calls for a diversity of housing. No housing type should be more than 75 percent of the housing stock.

Looking over the cycle snapshot in the buildable lands report, 76 percent of the housing units built in the City of Vancouver were multi-family units. The Responsible Planning Coalition has and will continue to advocate for adequate buildable lands so our community can support a diversity of housing types and quality jobs.

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The Responsible Planning Coalition does not agree with the County's assertion that we have 1,446 acres of surplus buildable residential land based on achieved density. Using the achieved density in the Vacant Buildable Lands Model will only aggravate an already tight housing market.

Using achieved density in the model, for example, 18 units per acre as blanket density for the City of Vancouver will have lasting negative impacts on the housing market. Using achieved density will create a self-fulfilling prophecy of more bid and high-rise multi-family developments which generally do not provide an avenue to ownership.

Development trends seen in downtown Vancouver the last couple of years have achieved that 18 units per acre but this is not sustainable as it depends on a redevelopment and skews the achieved density based on housing types and would be detrimental actually to the other housing types and we should be looking at in the Buildable Lands Report our capacity by housing type rather than using a blanket achieved density.

The medium home price in Clark County is currently 5,200 -- or \$528,000 and we are sitting at two weeks of supply. The price of lots are directly linked to the amount of buildable land within the county.

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Our coalition wants to see a future with diverse housing types including the middle housing types to house a growing workforce. Middle housing types provide smaller dwelling units at a lower price point and generally offer an opportunity to own, but the real estate industry needs the land to accommodate this growth.

Our fear is that this report is informed by achieved density that in the future will eliminate the possibility of middle housing in Clark County. Current and future citizens will be priced out of traditional single-family homes and forced to rent in lieu of these options.

I would like to remind this Council that homeownership has been proven to be one of the best avenues to generational wealth. Our coalition would request that this Council revert of the Vacant Buildable Lands Model back to target density or would request an extension for the submittal of the Buildable Lands Report to the Department of Commerce. This report will function as the foundation of the comprehensive plan update and it's imperative that we get it right. Thank you.

PHILLIPS: Thank you. And next I have Bryan Snodgrass, if you're here.

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SNODGRASS: Good morning and happy to be back in front of this group and the Council after two years in person. We've got some brief testimony. We may run a little bit over three minutes but we just beg your indulgence on that given we only received the staff report and the Buildable Lands Report last Friday afternoon.

The City, as you know, is focused on the results of the Buildable Lands Model and particularly on the population side. We're focused that way because that's how the model will be reported to the State, that's how it will be applied, not just in our land use planning, but also in our capital facilities planning and our efforts to improve the balance of jobs to housing in our community.

And the final decisions obviously rest with the Council. We don't -- we would recommend you not signoff on it until there is evidence that it is the report is reasonably accurate, not perfect, but at least reasonably accurate.

As you know, in our view basic data readily available points in the other direction that the model and the report that you're being asked to approve fundamentally underestimates growth capacity primarily in Vancouver but probably elsewhere and we say this because the report is claiming that the City has less

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capacity in the long-term than we have current applications under review.

For the report to be accurate, the City, one-third of the current applications, developers obviously have already paid and submitted to the City would need to go away. There would need to be no replacement of those applications. There would need to be no other applications anywhere in the City for 13 years.

The problems with the report aren't just with our applications; it's what's happening on the ground. For the report to be accurate, the City would need to go into a long -- a prolonged slow down and over the next 13 years increase population at about a third of the rate that the State has said we've grown in the last two.

These aren't credible in our view, and we have not received a lot of pushback. These are not new arguments either. We've been advancing them now for some time. We have not received a lot of pushback on that or explanation of how the report could be accurate in light of that growth and that -- and that what we're seeing in terms of the applications.

And so we would -- we do have some recommendations that for some updates to the assumptions and we do very much appreciate the

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update that the Council enacted last week, that it's a basic requirement of the statute that you use achieved density and it's a basic, I think, principle of sound planning that you plan for the future based on at least as a starting point of what you're seeing on the ground now.

So in terms of the recommendations, they're in our letter. I do want to just go over them briefly just so they're clear. The first of those are just with regard to the process and we understand there's a hearing to follow on the 21st. That is good.

As mentioned, we do not recommend that the Council signoff on the report until they're satisfied and there's evidence in the record that it's accurate. And as part of that, it sounds like that what the plan is is that whatever changes are made today, if they are -- would be available for comment prior to the hearing on the 21st.

If there is some creative use of a workshop or something like that where it's a bit more interactive or where you could even ask questions of us and our recommendations and what we're seeing and other parties here, we would welcome that as well.

Whatever is adopted and submitted to the State this year, if

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that is to be the case, we'd recommend if you need another month or a few weeks, take that time. If not, then prior to any final adoption of a comprehensive plan in a couple of years we need to get this right. I mean, there's too many issues stemming from the vacant buildable lands analysis, so we would recommend continued monitoring and changes, if necessary, in the upcoming years prior to the adoption of final plan.

In terms of the substantive recommendations, first are to follow those that have already been identified by county staff. The county staff identified that there was a problem with the residential undercounted, a memo as recently as a year ago. Recently there's been quite a bit of, a bunch of work done by county GIS staff in particular, we recommend you follow those. We recommend that include looking at the residential capacity of commercial lands in Vancouver and many other cities have some allowances.

We're not suggesting the percentages are the same in all of the cities, but that should also be -- that should be part of that that is market reality and certainly a trend. It's also part of the housing report that was recently presented before this Council and adopted and included a recommendation to explore that as well. It probably wouldn't happen at the same scale it happens in Vancouver, but these are market realities and I think

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they really need to be --

BOWERMAN: And, thank you, sir. I do think we need to call it at this point. We appreciate your testimony very much and I allowed that extra time that you had requested.

SNODGRASS: If I may finish, I have three or four more recommendations.

BOWERMAN: Well, I hope that someone else can give them for you. You've been over quite a bit at this point.

SNODGRASS: I would just ask that the Council have a look at our letter. We do appreciate your work on this difficult subject. We would also ask that the -- your final decisions be data driven and that, I think in our view, is looking at the numbers. All parties have access to good data to make their point and so we hope that that is something you do in your final decision. Thank you very much.

BOWERMAN: Thank you.

PHILLIPS: Thank you. I believe that's everyone in person, but we do have a few hands raised online. We will start with Teresa Hardy. If you're ready, please go ahead.

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HARDY: Once again, we urge the County to only submit a Buildable Lands Report that is based upon and supported by solid data as required by statute and accurate capacity estimates most of which has been provided either through the BLPAC process or by your respected and knowledgeable staff in response to erroneous claims submitted by the Building Industry Coalition now claiming to be the Responsible Growth Coalition.

Throughout this modeling process, Friends of Clark County had continually provided accurate information based upon actual data. Please accept these prior comments from FOCC and incorporate all previous letters and attachments and also coming from David McDonald. The details of prior correspondence is well summarized in a letter submitted to the Council on April 18th, 2022. We also further incorporate all the letters submitted throughout this process by the City of Vancouver, who we just heard from and Futurewise.

We are also concerned about the parks and schools. And the land needed for parks and schools in the 20-year planning period is determined by individual cities and park districts during the planning process itself and must be continued and considered on the demand side, not the supply side. Leaving a percentage for park and school acreage set aside on the supply side is simply

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double counting.

The County has little time remaining to determine a path forward based on accurate data. The stiff consequence of deciding against a model based upon solid data has been made clear by Chris Cook and our Planning Director. Friends of Clark County ask the Council to make the right decision to adopt a Buildable Lands Report on solid data as required by (inaudible) --

PHILLIPS: One minute remaining.

HARDY: -- and accurate capacity estimates as provided and supported by staff and from written and verbal comments submitted from the stakeholder groups and others.

And in response to the builder that talked about the importance of having industrial land, that company was responsible for the Vancouver Innovation Center and that was -- this comment is not related to Friends of Clark County. This is me as an individual.

The VIC was given a rezone from an industrial to a mixed use and none of the residential will be available because it is at the current AMI or above and none of the workers on that site will be able to live on-site even though it was advertised to the

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public as a live, work, play community. It is not going to be a work and live community so we need to be careful what our builders tell us.

PHILLIPS: Thank you. And next up, I have Claire Lust. Please go ahead. Claire Lust, if you're available, it's your turn to comment. We'll just move on and maybe circle back around, but next I have Eric Golemo.

GOLEMO: Good afternoon. Can you hear me?

PHILLIPS: Yes, we can.

GOLEMO: Okay. I did -- again, my name is Eric Golemo with SGA Engineering, also participated on the -- in the stakeholders group. I did submit my testimony written as well in case I do run out of time, but I want to avoid reiterating what's already been said.

I support the views of the previously submitted information and testimony by the Responsible Planning Coalition. I do, however, want to stress that the reason we are here and the reason the bill was passed was to address the apparent lack of buildable land and an affordability issue.

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Yet, even with the recommendations of the coalition, we still showed that we have an excess of available land and plenty of opportunity for residential and jobs development. This is contrary to what the industry sees happening in the field.

Anyone in the real estate industry knows we're dealing with a significant undersupply, lack of buildable land, and affordability crisis. This is further exacerbated by the recent direction at the May 25th Council Time to base the model on, and I want to stress recently, achieved density because we're not looking back that far.

We're just looking back to the few years since this plan's been in place, and that is being done instead of the target, a projected density which takes a lot of factors into account. I'm dumbfounded.

Based on the new achieved density calculation, the study shows that we have a surplus of 1,446 acres of residential land in our current boundary for the current growth plan. Based on the previous target density which was already unfavorable, we still had a surplus of 615 acres. In the written testimony, I actually show a reference to where that is in the report. There are however some significant flaws in this logic.

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First, achieved density includes a lot of one-off high density downtown and waterfront developments that is skewing the density, the achieved density. This may not represent future development patterns. The housing types are also not typically affordable without significant subsidies. Over-counting this type will be at the expense of other more affordable housing types.

PHILLIPS: One minute remaining.

GOLEMO: The current achieved densities are also skewed by the lack of available land and forcing people into high density apartments instead of having opportunities for homeownership. It becomes a self-fulfilling prophecy.

Third, using achieved density could negate a lot of the previous comments. This has not been vetted yet and may have unintended consequences. This is a significant change in the direction it was made in Council Time with only staff input cutting out the public and stakeholders.

Staff is representing that the bill and State guidance requires using achieved densities. This is not the case. It only requires that achieved densities be determined and considered as one of the criteria.

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On the achieved densities used are not separated by housing type or zone. Using the achieved density of 18 units per acre in Vancouver is oversimplified and does not address the need for various housing types in the urban growth area.

If we really want to make the model more accurate, we should break down the target and achieved densities by zoning and needs in the community instead of a broad brush average by UGA. This should be represented in the VBLM so the capacity analysis doesn't inappropriately show we have excess land as a blanket statement instead of what is actually the case that we have an inadequate supply of capacity for all other categories except downtown mixed use and high density residential.

Meeting much of our future housing needs with high density mid-rise apartments forces our community into being tenants and puts the dream of ownership out of reach for thousands of Clark County citizens. This broadens the gap between the haves and have nots and eliminates the opportunity for equity, associated appreciation, and generational wealth. This is especially --

PHILLIPS: Okay. Thank you very much. Next up, I have Sam Crummett. Please go ahead.

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CRUMMETT: Hi. Can you hear me okay?

BOWERMAN: Yes.

CRUMMETT: My name is Sam Crummett, C-r-u-m-m-e-t-t. I'm the Community Development Director for the City of Battle Ground and I did submit a letter into the record dated April 18th. I just want to highlight a few things in that letter.

The City did a 2021 land use master plan study for the City citywide. Essentially the goal was to determine whether we had sufficient capacity for both jobs and housing to kind of simplify things. That data was based on actual data.

It was based on primarily the buildable lands report from 2018 as well as County Assessor data and the findings in that showed that we have sufficient capacity to meet our residential needs. The current Buildable Lands Report said that I think we need an additional 164 acres. So we don't necessarily agree with that.

Another thing is we have in terms of the jobs side we -- and the last time we did this eight years ago, we tried to get more lands for jobs on the east side of our city -- excuse me -- the west side of our city. That was appealed. We lost that. We had to give up the 80 acres that we were going for.

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The Growth Management Hearings Board said basically that we did not do our due diligence in trying to figure out how to accommodate those jobs inside our current urban growth boundary. So this last -- this master plan work we've done has really set ourselves up to say, hey, we've done this homework, we need more lands for jobs going out towards Dollars Corner. So I think kind of to summarize --

PHILLIPS: One minute remaining.

CRUMMETT: -- the City, we believe we've got sufficient capacity for residential based on actual data. Our numbers essentially correlate in terms of the employment targets but we do believe that 64 acres is not enough, that we do need additional acreage for lands for jobs really to compete locally and nationally to bring in some larger employers. That's all I have at this time. Thank you.

PHILLIPS: Thank you. Next I have Jamie Howsley. Please go ahead.

HOWSLEY: Sorry. Am I off mute there?

PHILLIPS: Yes, go ahead.

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HOWSLEY: Okay. Sorry, about that.

BOWERMAN: Spell Howsley, please.

HOWSLEY: Yes. H-o-w-s-l-e-y, with the law firm of Jordan Ramis. I'm here on behalf of myself. Council, this is going to be my fourth growth plan update here out of the, I guess, five that the County's had and I'd like to remind the Council that I had the great opportunity to serve on the State committee that was brought together by Department of Commerce that led to the passage of Senate Bill 5254 which did change the requirements of RCW 36.70A.215 which is the statute which governs the Buildable Lands Report.

The bill was really meant to address the disconnect between the real world market conditions that we were seeing here in the state of Washington, and planning theory. And you heard from Justin Wood just earlier, which drives this point home in Washington State that we are in a dire crisis and, in fact, Washington State is pretty much the least affordable state in the country. And I really think that this stems from the last GMA update.

The State of Washington gave Clark County an artificially low

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growth rate based on the great recession years ignoring more than 50 years of growth trends in Clark County and since that 2016 plan, our growth has greatly exceeded the growth rate that was predicted in that 2016 plan. And so there's effectively a real big disconnect here on what's going on.

Eric talked about what we may be seeing from achieved densities versus what we may be needing to do based on housing types and I kind of want to drive this home a little bit more legally speaking. RCW 36.70A.020 which are the GMA planning goals specifically Goal Number 5 is the housing goal and it requires that --

PHILLIPS: One minute remaining.

HOWSLEY: -- local governments plan for and accommodate housing affordable to all economic segments of the population and promote a variety of densities and housing types.

And then down in RCW 36.70A.215(3)(e), which is the Buildable Lands Report, it does talk about actual density in there, but it says based upon the actual density of development as determined by Subsection (b) which is the criterion that's asking to be hanging its hat on you have a review of commercial and industrial and housing needs, and this is the key language here,

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"by type and density range to determine the amount of land needed."

And so if you have areas like 179th that were proposed for a lot of housing and yet because of the recent infrastructure gaps that we had here and hasn't recently until recently started developing because of the lifting of urban holding and whereas you have more housing developed in downtown Vancouver, that's going to skew the numbers accordingly.

So you're going to be seeing housing go where it can and if we started to count some of those areas of lower density, it's going to bring those numbers more in line with what the market conditions are.

PHILLIPS: Thank you. Next I have David McDonald. Please go ahead. David McDonald. Okay. We're going to try Claire Lust one more time.

LUST: Can you hear me?

PHILLIPS: Yes, we can.

LUST: Perfect. Thank you. Good afternoon now, Council, staff and members of the public. My name is Claire Lust, that's

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L-u-s-t. I'm the Community Development Director with the City of Ridgefield, Washington.

First, I would like to concur with the analysis findings and recommendations made by the City of Vancouver in their letter to Council dated June 6th. I particularly want to draw attention to the remark in Page 2, Paragraph 2 of their letter, that's the lack of accounting for residential growth on nonresidential lands as a major source of undercount. This is the case as well in the City of Ridgefield which employs mixed use overlays in a number of areas to diversify commercial and employment lands.

Second, I'd like to address the competing view that available residential supply is being over counted and while land is necessary for affordability including production of single-family residential homes to get new homeowners on the property ladder, certainly supply is part of the affordability equation; however, it's not a simple solution and Ridgefield is currently a case study of this.

The City of Ridgefield over the past few years has seen unprecedented and sustained growth in residential supply and housing supply, nearly 2,000 new builds were completed between April 2018 and April '22. That covers new single-family detached residential homes as well as new single-family attached

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townhouses.

Yet in that same time period, the median housing price has increased from 395 to \$636,000, a 61 percent increase, despite the steep increase in supply. First time homeowners looking in Ridgefield may look at listings for an 1800-square foot, three bedroom home on a small 2500-square foot lot and see a list price of up to \$550,000.

In reality, instead of being sold to new homeowners looking to build that generational wealth and get on the property ladder, builders are selling to investors who are buying these homes at the price that they can pay, essentially removing them from the market for first-time buyers and then turning around and renting them for up to \$2500 a month.

So I'd encourage Council to take this realtime perspective into account when it comes to the impacts of the Buildable Lands Model on long-term affordability. And I thank you for the opportunity to speak. Thanks.

PHILLIPS: Thank you. And let's circle back around to David McDonald. If you would like to give comment, please go ahead. Okay. Well, Chair, I believe that is everyone. Oh, I'm so sorry. One more. Susan Rasmussen, please go ahead.

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RASMUSSEN: Good afternoon, Councilors. I'm Susan Rasmussen, R-a-s-m-u-s-s-e-n, on behalf of the membership of Clark County Citizens United. I'd like to remind you all that policies have been unraveled over the past 20 years in our comprehensive plan, policies that were legally adopted into the plan.

You all took an oath to do a job and you should be able to be the best experts that you can to look at all the analysis and make reasoned policy decisions that justify as to why you voted a certain way in your policies.

And you've heard testimony today and we've inserted testimony into the public record that past buildable lands documents portray illusions of abundance of buildable parcels out there especially for rural areas, but you look at the data and that tells you a different story.

When you go back to the 2000 plan monitoring report and at that time the rural population was 61,818, in your 2020 report the rural population is now at 66,975. That's a 5,157 person increase over 20 years. During the same time frame, the countywide growth from 2000 to 2020 was 164,614. During the same time frame, the rural population growth allocation was between 20 percent and then it went down to 10 percent, I

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believe, in 2005. Why on earth didn't we get the 16,462 people.
Why on earth did we get the 5,157 --

PHILLIPS: One minute remaining.

RASMUSSEN: Thank you for your time and you have a big job ahead
of you to unravel the policies that never got realized. Thank
you for your work.

PHILLIPS: Thank you.

OTTO: Chair, David McDonald has actually reached out to me and
he's trying to phone in now to provide his testimony. So we'll
just see if a user pops up here in a sec.

BOWERMAN: While we're waiting, let me ask Council, after we
hear from him, do you want to take a five-minute break before we
begin the Council deliberation?

RYLANDER: Yes, please.

BOWERMAN: Okay. We'll do that when the time comes.

PHILLIPS: Hi, there. Is this David McDonald who just called
in?

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MCDONALD: It is David McDonald.

PHILLIPS: Okay. Wonderful. If you would like to provide your comment, please go ahead.

MCDONALD: Thank you. And first my apologies, I've been trying to get in through Webex and have failed, but I appreciate Ms. Otto letting me call in. My name is David McDonald. I'm a member of the Buildable Lands Advisory Committee and I've been working on the vacant buildable lands work in Clark County since the first Vacant Buildable Lands Model was created.

I've submitted a number of comments and I'm not going to reiterate them now, but I will speak to three things. One is the request by the Building Industry Coalition individuals are mostly about policy. The Vacant Buildable Lands Model and the Buildable Lands Report is supposed to be about gaps and specifically about what is actually happened on the ground, not what you want to happen on the ground, but what is happening on the ground.

And to do that staff and the consultants and the Buildable Lands Advisory Committee put together a package of information data and recommendations that as soon as it went to the Council you

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rejected and you continued to reject over the last year and a half. You have your own reasons for doing that and I don't understand them but they do not reflect what's required by the statute.

I want to make two points quickly. One is Mr. Howsley brought up 36.70A.215(3), he didn't mention (d) in his comments. 215(3)(d) says that you're required to "Determine the actual density of housing that has been constructed and the actual amount of land developed for commercial and industrial uses within the urban growth area since the adoption of the comprehensive plan under this chapter or since the last periodic evaluation."

The recommendation -- that statute is followed by the one he read --

PHILLIPS: One minute remaining.

MCDONALD: -- which says based on the actual density of development as determined under via the section you're to develop types of land that is available. We've done that. If you look, we have urban low, urban high, mixed use, single-family. There are a variety of densities and what types within this and no one will deny that right now the model

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reflects about 75 percent of the residences or the units in this county are single-family residences.

So by the human cry that I hear from the Building Industry Coalition doesn't stack up to the actual data and we are just asking you to follow the statute, recognize what's there, adopt what was given to you by the BLPAC and not reject your staff's well done work. Thank you.

PHILLIPS: Thank you. Chair, I believe that that does conclude the comments.

BOWERMAN: Okay. Thank you so much. It is 12:13. Let us reconvene to begin the Council deliberation at 12:20 precisely.

(Pause in proceedings.)

OTTO: We're live, Chair Bowerman.

BOWERMAN: Thank you. It is 12:20 and so we will resume the hearing regarding the Buildable Lands Report and we now turn to Council deliberation and I would begin by asking if there are any motions that Council wishes to make.

RYLANDER: Chairman, I have a motion I would like to make.

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BOWERMAN: Councilor Rylander.

RYLANDER: I'd like to move to reconsider the vote of May 25th, 2022, where we adopted the change from the assumed density to the achieved density for the VBL Report.

BOWERMAN: And I'll second that motion. And I accepted that by the way because we were in the prevailing group at the vote that was taken on that particular motion. So is there discussion? And I would begin with you, Councilor Rylander.

RYLANDER: I do have some notes I'd like to share. By way of background, I have spent a considerable amount of time with staff and I very much appreciate their effort in assisting in my education and bringing me up-to-speed. This is a complex area.

One of the significant, main reasons -- one of the most significant reasons that I supported moving from the assumed density information to the achieved was from my understanding from staff that it was a requirement that that be used.

Subsequently, I have gone back and reviewed the WAC 365-196-315, the RCW 36.70A.215 and the other supplements, and when I read the material as presented along with the Department of Commerce

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report, which is a very lengthy 100-page report, I do not see the requirement that the achieved be used.

But it does indicate to me and my interpretation is that the achieved information is to be used as part of the program and is to be compared to the assumption base and in so doing if there are differences, then they should reconcile and make recommendations and suggestions. So that was key for me that the requirement existed that we must use achieved and I don't see that in the material that I'm reviewing.

And when I go over the other issues, I've got my notes here regarding 365-196-315, Subsection (4), buildable lands reporting, it notes that the "lands report must compare growth and development assumptions, targets, and objectives contained in the county-wide planning policies and the county and city comprehensive plans with actual growth. The results are then intended to aid counties."

There appears to me to be in the statutes considerable allowance for the County to approach this from a number of different angles. The intent, if I understand correctly, is to get a good, accurate consensus or as close to consensus as possible, agreement on the available lands for residential, commercial, industrial, et cetera.

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And I can tell by this extended conversation from the public and the testimony that we still have a very wide divergency, and I'm concerned that based on where we're at right now, we indeed may need more time. So an extension, if available, might be appropriate to make sure that we get closer to what it should be.

But in the end, the reason I'm asking for reconsideration is that on my basis I voted in a manner that was based on information which I've now come in some regards at least to question and thus I would like to ask for that reconsideration. Thank you.

BOWERMAN: Is there further discussion on the reconsideration? Hearing none, it has been moved that we would reconsider the motion to use achieved density rather than assumed density which had been the motion a couple of weeks ago. All those in favor of reconsideration please signify by saying aye.

RYLANDER: AYE

BOWERMAN: AYE

BOWERMAN: All those opposed.

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OLSON: NO

LENTZ: NO

MEDVIGY: NO

BOWERMAN: I heard 4 votes. May we have a roll call, please,
just so I can clearly understand what the vote is.

LENTZ: NO

OLSON: NO

MEDVIGY: NO

RYLANDER: YES

BOWERMAN: YES

BOWERMAN: The vote is 3 to 2 and, therefore, there is no
reconsideration of that particular motion. It did not pass.
Are there other matters for discussion or other motions from
Council?

OLSON: Madam Chair.

BOWERMAN: Yes, Councilor Olson.

OLSON: Thank you. Yeah. I would move that we -- first of all,
I'm going to refer to the Exhibit 1 that we had up earlier from
Jose that we adjust the Vacant Buildable Lands Model assumptions

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on Exhibit 1 and include them in the amended VBLM in the final draft and final Buildable Lands Report as follows: Line Number 17 - pull this up here where I can see it - that we accept the BLPAC recommendation of 9-3 that we assume mixed use for residential development on commercial land.

On Line 19 that we accept the BLPAC recommendation that was 11-1. That we -- that they voted to keep the market factor assumptions for residential at 10 percent vacant land and 30 percent for underutilized land. On Line 21 that we use the infrastructure set asides at 31.5 percent. On Line 22, we remove the set aside for schools. And on Line 23, we remove the set aside for parks.

BOWERMAN: The motion is not accepted because there has not been a decision to reconsider. Is there other discussion or other motions from Council?

OLSON: Excuse me. Excuse me. Excuse me. I believe that's out of order.

BOWERMAN: It is not, however, you are. Is there other discussion or motions from Council?

OLSON: Can I -- is -- Chris, can we get clarification on this,

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please, that we cannot update the Buildable Lands Model. That's the discussion we're having this afternoon.

BOWERMAN: That is not the discussion. What the motion was that that I heard brought was to change votes that had already been made and determined to be one particular direction. And so to change those votes would entail a reconsideration.

OLSON: Chris Cook, can I get a legal clarification on this, please? We don't -- you're telling, Chair Bowerman, that we have not adopted final assumptions yet and we are not able to amend the discussions that have taken place up to this point; is that what you're saying? That seems to be out of order.

BOWERMAN: Who are you speaking to, Councilor Olson?

OLSON: You, Chair.

BOWERMAN: The answer is no. We had voted and the dates of those votes are recorded as to what the decisions would be on all of those lines that you just gave.

OLSON: Then let me -- let me -- then let me rephrase my motion then. I'm going to move that we reconsider the votes that were previously taken on Exhibit 1 Lines 17, 19, 21, 22, and 23.

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BOWERMAN: I hear no second.

LENTZ: Second.

BOWERMAN: It has been moved and seconded that we reconsider the votes on Lines 17, 19, 22, and 23; is that correct?

OTTO: And 21.

OLSON: 17, 19, 21, 22, and 23.

BOWERMAN: Thank you. I'll add in 21. Is there discussion?
And, Councilor Olson, you may begin.

OLSON: Thank you. I appreciate that. So we'll go through this process and, Chair Bowerman, I appreciate this. You know, we've had a lot of conversation today and I'll have some more to say as we consider this motion.

But for now, I'd like the Council to consider -- reconsider the votes we took so that we can amend this report and these assumptions so they can be lawful but they can be reasonably defended and then we can talk about these policy issues as we move forward when we do do the comprehensive growth management

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plan update. And I will have some more comments onto that but I hope we can get through step one.

BOWERMAN: Further comments? Are you ready for --

MEDVIGY: I have a --

BOWERMAN: Yes, Councilor Medvigy.

MEDVIGY: I have a general - thank you - a general question/comment and I don't know if it's fair or unfair to put the County Manager on the spot, but, I mean, the way our government is set up here at the County level our staff is our staff. They are us.

We have had hearing after hearing after hearing summarizations that I think offer the positive to get to the best possible report that we can and we've had staff, and especially GIS, go back and do additional ground-truthing and working on the models.

We have strived since February to have the best possible report under this model and, you know, in a perfect world we would have had, you know, from the original stakeholder group unanimity or agreement but we didn't.

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We had a few things that they agreed on. Most come with by consensus and some they just weren't able to agree on anything and then we, you know, after hearing after hearing and going back and trying different percentages, you know, we've explored so much of this model, but yet we still have this huge disagreement, and not only with staff, but with Vancouver in particular, but the other cities as well.

As far as, you know, kind of ignoring what actually happened on the ground and characterizing it as an anomaly or weighting, artificially weighting the numbers, you know, that's not what the this Buildable Lands Model is about and, I mean, I know there was some reform back in 2017 and as Mr. McDonald mentioned as well he's been in it from the beginning.

It troubles me with my background when I have our staff say, you know, some of these percentages just are not supported by any of the evidence. That's something I know as a judge I would never move forward on. I would like -- we need to get through this step. This is just one step.

You know, the hard, really hard work is going to be when we get to using our tools for comprehensive planning and, you know, there are control measures and I just read a note by MRC about control measures following the Buildable Land Model that focuses

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on these deltas on these disagreements.

So back to my original statement, you know, I really haven't heard from the Manager as the lead of the executive, you know. Does she want to correct these numbers that staff is basically saying are not supported in the report right now because I want to have the best possible report. You know, we're not going to get agreement. I have discovered that.

You know, we sent our staff back to Vancouver to see if we could parse through just the disparities and the numbers and of course there was no agreement after that. So we are not going to get agreement between the different factions that view this.

And also to Mr. McDonald's point, you know, I think we were striving as a Council to get to ground-truth because the model doesn't work on the ground perfectly, especially in Clark County. It just is a poor fit.

So we weren't trying to do anything untoward, we were just looking for the best possible numbers to get to what the building industry sees and it's very patently obvious to anyone that looks, we have a housing shortage. We are so far behind. We know it and so for the model to show that we have 1400 acres in excess for residential housing it just doesn't pass the

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common sense test. So the model is poor.

But what would the Manager -- what is the Manager recommending to us as the legislative branch? What does the executive branch want to do with these disparities?

OTTO: Thank you, Councilor Medvigy. First, I do want to say that I think everybody is on the same page and that nobody knew what was going to happen with growth in Clark County and that we want to make sure that during the process that we can make that whole and figure out what we need to do to accommodate that moving forward.

So with that said, I do support what the staff has done, what the original committee had worked on, the majority of the recommendations were supported by the committee and then acknowledging for those, you know, who want to create assumptions or include assumptions now to help with the future process to ensure that there is a process in the future to address the concerns that have been brought up today and I think -- I don't think there's a disagreement that I've heard from Council, staff, or the community or our local partners that it's not accurately reflecting what's happened over the last few years. But there's a way to address that in the next update process, so I would support what staff has recommended.

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MEDVIGY: Okay. Thank you for that clarity. And I just want to make one very brief comment and it kind of goes to Councilor Rylander's comment, you know, that it isn't the law that we have to do something with this Buildable Lands Model.

I mean, I read through it again and I want to point out because I think it was summarized really well in the Commerce guide, that it's a guide. It is 90 pages long including detailed annexes of how to get through this process as best you can and the one poignant thing I took right from the very beginning of that document, they tried to quote Socrates saying, you know, even Socrates identified this process of planning for community growth as it needing the wisdom that isn't found in most people.

This is hard stuff and it's going to and -- but we need to get through this step so we can get to the real substantive nature of what we need to do in the comprehensive planning process. And we just heard from, you know, affordable housing and a good start on that. There are a lot of tools in play and that's only affordable housing. We're not talking about lands for jobs and commerce and industry, but we have a lot of work to do.

So I do support the motion that Councilor Olson has made. We need to get through this step. We have to have the most

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supported data. We kept hearing we need to show our work. Well, we've been showing our work hearing after hearing after hearing and I have full faith and confidence in our staff as well as our paid consultant and the work that was done by the original stakeholder group.

BOWERMAN: Are there further comments from Council?

RYLANDER: Madam Chair.

BOWERMAN: If not, then are we ready to vote? It has been moved that we reconsider Line Items 17, 19, 21, 22, and 23. All those in favor of that motion signify by saying aye.

OLSON: AYE

LENTZ: AYE

MEDVIGY: AYE

BOWERMAN: Those opposed.

RYLANDER: NO

BOWERMAN: NO

BOWERMAN: The vote again is 3 to 2. It passes.

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OLSON: Madam Chair.

BOWERMAN: So if you wish to begin your reconsideration of Line 17, whoever is going to do that, you may go ahead.

OLSON: Madam Chair.

BOWERMAN: Yes.

OLSON: I'd like to reconsider the last motion that we adjust the VBLM assumptions on Exhibit 1, Lines 17, 19, 21, 23, and 22 and include those amendments in the VBLM final draft and the final Buildable Lands Report.

BOWERMAN: So please on the -- this right here what you're -- if you would read for us what you're referring to.

OLSON: Thank you. Sorry. So Line 17 goes with the BLPAC recommendation of assumed mixed use residential development on commercial land in the City Center 30 percent and 15 percent for Vancouver commercial.

Line 19, keep market factor assumptions for residential land at 30 percent for underutilized land and 10 percent for vacant land, again, per the BLPAC recommendation.

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Line 21, infrastructure set aside at 31.5 percent. Line 22, remove the set aside for schools. And Line 23, remove the set aside for parks.

RYLANDER: Madam Chair, are you accepting comments?

BOWERMAN: I was just thinking. Yes, go ahead, please.

OLSON: We need a second first. We need a second first.

BOWERMAN: We do, that's exactly what I was thinking and I presume there is one. But is there?

LENTZ: Second.

BOWERMAN: Yeah, go ahead, Councilor Rylander.

OLSON: Madam Chair, can I (inaudible)?

BOWERMAN: Oh, surely, go ahead.

OLSON: Sorry. And then this, and I'll speak and then I'll be quiet, but, so, Councilor Medvigy makes a lot of great points. This is a long -- been a long process. This committee started

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meeting in 2019. This is the basis of starting our new comprehensive growth management plan update.

Most of -- I would -- I agree with Jennifer Baker. I agree with Tim Schauer. I agree with Steve Hogan. I agree with Justin Wood and with Eric and with the Cities of Ridgefield and Battle Ground and there's no dispute about, I think, what we heard today.

The issue is where we deal with these questions and I think that Mr. McDonald's point that those are policy questions that should be dealt with on the demand side, not on the supply side. The Vacant Buildable Lands Report and VBLM is part of the review and evaluation process. It's not part of the supply side or the demand side process.

We looked at the quantity and the form and the density of residential and nonresidential development observed between 2016 and 2020. We're showing that we have land available because we're using the data population from our last growth management plan which was 1.23 percent. Of course, we've not been growing at 1.23 percent.

You know, we heard from the City of Vancouver, and I said this from the beginning, I can't support a report that's not

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validated in actual data, and where we have data that conflicts with what we're being asked to do, I can't support that.

I think it's our obligation to put a report that's forward and adopt assumptions that are legally defensible and then do our darndest to manage the issues that we're having on our housing and jobs land and that happens on the growth management -- the supply -- the demand side, that happens on the update side. It doesn't happen in the Vacant Buildable Lands Report.

So I just I want to be clear that everything we've heard today is correct and accurate, but it's where we deal with it and how we deal with it and if we put forward a report that cannot be based in actual data, I think I have a problem with that. So I appreciate the Councils consideration. I really hope we can get to something that we can stand behind and get to the hard work which is the next step in the next plan update.

BOWERMAN: All right. Councilor Rylander, you had wished to speak.

RYLANDER: Yes, ma'am. Thank you. The period -- in my interpretation, the period of time that's being used under the header of achieved represents a period of time which has been a very busy, almost explosive, growth. The question is using that

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going forward indicative of what the future expectations can and will and should be and given the state of the economy, the inflation, and other issues, I have personal reservations and concerns that using this last snapshot period of five or six years is appropriate going forward.

Saying that, then you have staff. You have councils like this that come back and make suggestions and recommendations they believe are couched in their understanding, interpretations of the information.

As to what's legally defensible or not, I'm not an attorney, I can't answer. But as long as we can explain, according to what I understand in the statutes, it doesn't say we have to use the achieved material. We have to include it in what's going on, but we have to temper it with our other knowledge and expertise and I'm concerned that that's not the case.

Relative to the specifics of settling on number, Line Number 21 at 31.5 percent versus 34 percent, I guess the question is what makes one legally defensible over the other? What difference, what small difference is that ultimately going to make.

I am concerned that given the move, continued movement to protecting the environment that the amount of land that has to

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be set aside for wetlands, swales, green, greenery, et cetera, is going to increase, not decrease, and yet the current 34 percent wants to be -- you want to cut it to 31 and a half percent. Do you want to remove land for parks and schools?

If we do continue significant growth, particularly in the residential side, my concern is that the land that may not be needed on a demand side downstream for schools and parks may not exist if we don't set something aside.

Now does that mean that the current recommendation of what, 21 percent is the right number? I don't know that. But to take 21 percent to zero seems to me to be inappropriate. You've got to plan for the future. You don't know what's going to happen and it may all be consumed by the time we get there.

As far as the assumptions that are -- been brought up this morning of the comments relative to job land, you know, looking at the maps and looking at the data, I'm concerned that we don't have large enough blocks of land. I understand from employers, I understand that's going to go to the comp plan down the road, but my other significant concern is that this type of report which is euphemistically called a "model," -- and I object to the term use "model" because it's not a model, it is not projecting. We're not plugging in numbers looking for the

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future.

What this is is a report over a snapshot of time, and having just come to the Council and a lay citizen without the background that my fellow Councilors have had over the duration of this work, it's incredibly complex, incredibly complex. So something as simple as nomenclature in saying it's a report and not a model is significant from an accuracy standpoint in the reduction of confusion, so...

And it's supposed to be a report, it's not supposed to be a solution set but I'm concerned that moving forward future people will say, oh, we'll take this report/model and that we're going to use that to say here's what we have to do going forward because this is what they said it looked like then and that scares the heck out of me.

So I understand the need to tweak and make adjustments. I don't know exactly what the right ones are, but I'm concerned that the wholesale changes as recommended as outlined in 17, 19, 21, 22, 23 in the aggregate are going to have negative consequences that concern me deeply. Thank you.

BOWERMAN: Other comments from Council?

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LENTZ: Chair.

BOWERMAN: Councilor Lentz.

LENTZ: Yes. Thank you. I'll simply echo and support what Councilor Olson and Councilor Medvigy have already said. We continue to hear a fundamental misunderstanding of the work that we're doing with the Vacant Buildable Lands Model and report which are two separate things.

As we've heard, this is about the supply side and the supply side in this stage of the work needs to be data driven. We need to have evidence to support the assumptions and the conclusions we're making so that we can do the policy work moving forward.

Everything that we've heard from the home builders lobby, from CREDC, from others, are things that can be achieved on the policy end and will very likely be achieved; however, this is not the place for those things to occur.

We need to have a model and a report that is data driven and defensible. And as to the question of what is defensible, something that has the data to back it up and for the last year we've been having these conversations about what we do and don't have data for and what is and isn't defensible.

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The motion today in making these changes have been validated by the BLPAC and by staff as assumptions that we can defend and that is our responsibility to put forward a model that meets the statute and meets the requirements. Thank you.

BOWERMAN: My observation that we are in a situation that we are now, which I describe as two-fold. Housing costs that are quite out of control and inadequate buildable lands for industry to be able to locate here so that we can provide jobs, provide more and more jobs, to those people who are currently commuting across the bridge as well as those additional people who are still coming by the droves to Clark County.

And I think we're in the position that we are in those two regards because of kicking this ball down the road for way too many years. Oh, we can take care of this in two years. Oh, we can do what is needed in two years and then in two years we can take care of this in a while but not now because it's not the right time. How many -- how many times that has taken place over the years is unthinkable but that's why, in my opinion, we are in the situation that is untenable with regard to both residential and commercial land.

But I think the thing that hurts me most, I remember, some of

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you are probably too young, about Senator Fulbright who was the senator from Arkansas who wanted very much to accommodate the people who were graduating from universities in the engineering school where I think he was speaking, but they had to go out of state for jobs because like CREDC, their own entities, their own economic development entities had said, sorry, we don't have what you need here, you'll have to go out of state to build.

And so what Senator Fulbright did was to actually apologize to the students for the policy that he had felt that he had supported. Even if he hadn't voted for it, he had supported them over the years and that, in my opinion, is what we're doing and I am saddened by that because Clark County need not be in that situation, and if you think differently, just drive down the road and you will see that there is space for us to be able to accommodate people with jobs if we would just have the willingness to do it.

With that said, it has been recommended or has been moved and seconded that we reconsider Lines 17, 19, 21, 22, 23. Are you ready to vote on that reconsideration?

OLSON: Madam Chair, I just want to clarify. We already voted on the reconsideration. Now we're voting on the motion to amend the assumptions.

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BOWERMAN: You're right. Will you please show the top of that chart so we have the exact title of it? What is the date on this Exhibit 1? Because we have many versions of Exhibit 1 and I doubt it that anybody wants to get the wrong one. No date.

ORJIAKO: Jose, can you - this is Oliver - Jose, can you pull that up? I'm not sure that it's dated, but I know that we may have shared this with the Council at some point in the past.

BOWERMAN: Yeah, it has been for sure, many versions of Exhibit 1 have been shared, as a matter of fact.

ORJIAKO: Jose, can we see your screen? If you can pull it up, and as our legal counsel usually advises us, we should be dating this going forward. Thank you.

BOWERMAN: In the upper part that seems to be dated 5/18/22. Is that the date of the chart?

ALVAREZ: Yes, because it reflects the last amendment that was made in Council Time on 5/18/2022.

BOWERMAN: Okay. Are you ready to vote? Are there further comments from Council? Hearing no comments, I believe we are

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ready to vote. All those in favor of the motion of reverting back to what had been said in Line 17, 19, 21, 22, 23 signify by saying aye.

OLSON: AYE

LENTZ: AYE

MEDVIGY: AYE

BOWERMAN: Those opposed.

BOWERMAN: NAY

RYLANDER: NAY

BOWERMAN: The vote is 3 to 2 and therefore passes. Is there further discussion or further motions from Council? Are you ready to adjourn this portion of the meeting? I believe we have a little bit more if I could find the agenda here.

ORJIAKO: County Manager, I was looking for the Council to perhaps to vote to continue the hearing to the 21st so we can come back with a resolution if you can.

BOWERMAN: Will that be a public hearing as well?

ORJIAKO: It will be a public hearing but the Council can add

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adoption of the resolution under Separate Business. Anyone can testify to that if they so choose.

BOWERMAN: And would amendments be appropriate at that time?

ORJIAKO: We will be reporting on your action today with the resolution to formalize what you have done today, Council Madam Chair.

BOWERMAN: Right. On June 21st, would amendments be appropriate? I'm just trying to get the boundaries around what it is that we are going to do on the 21st as a Council.

COOK: Councilor, this is Chris Cook from the Prosecutor's Office. Might I interject here?

ORJIAKO: Go ahead, Chris.

BOWERMAN: Well, I don't think this is a legal question. Thank you, though.

COOK: Oh, okay.

BOWERMAN: Is there a perspective on what it is that we are to accomplish on the 21st?

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ORJIAKO: Councilor, if I may respond to that.

BOWERMAN: Yes, Oliver.

ORJIAKO: Typically when the Council takes action, we come back. This case it will require a passage of a resolution formalizing your action. That's really the purpose of the hearing on the 21st.

BOWERMAN: Would amendments be accepted, Kathleen?

OTTO: I'm sorry. Can you repeat what you said, I couldn't get the -- I believe at this point it's actually going to be a resolution on Separate Business. It would not be part of a public hearing. So the public hearing would be concluded today and then the adoption of the resolution and then staff will send the report up to Commerce.

BOWERMAN: That is very different then. So there will not be public comment on the 21st; is that correct?

OTTO: People can provide public comment as they do with any Consent or Separate Business item.

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BOWERMAN: Yes. But not as a public hearing?

OTTO: Yes. And I would actually want to confirm with legal that this is not going to be a continuation of a hearing. It is simply approving your resolution based on the vote today on this report.

COOK: This is Chris Cook, and that is my understanding, yes, County Manager.

BOWERMAN: And, therefore, there are no -- my question had been, Kathleen, is it correct that there are no amendments taken on June 21st?

OTTO: I don't believe so. Leslie, can you -- I mean, I think with anything that's presented before Council, there could be a request to change verbiage and stuff. So I don't want to say absolutely not because if the majority of the Council had a desire to change something in the resolution, I think the Council has that ability to do so.

OLSON: Can I ask for clarification on that? If we close the hearing today, the hearing is closed. How do we -- how do we -- if we haven't reopened it and we move to resolution?

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BOWERMAN: If we're continuing until the 21st, it wouldn't be closed today; right?

OLSON: Right. That's what I'm trying to get some clarification on. If we're closing the hearing, we move the resolution to Separate Business or we're continuing the hearing? I don't think, physically, we continue the hearing. We close the hearing, move the resolution to Separate Business.

ORJIAKO: Yes, that would be appropriate. You can close the hearing today and move that we bring back a resolution on the 21st for your final approval so we can submit the report to the State.

BOWERMAN: So only -- is it correct that only the resolution itself can receive amendments?

OTTO: That is correct. If the hearing closed today, that would be correct.

MEDVIGY: So we do have a deadline to submit the report to Commerce, we need to make that. We've concluded this open hearing. We just need the date for the resolution, I think that's what Oliver just said and what Christine Cook just confirmed and the Manager stated as well.

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BOWERMAN: It doesn't appear there is any problem whatsoever in meeting the deadline. Is that not June 30, 2022? So this is well in advance -- in advance of June 30, 2022, so that doesn't appear to be a problem, Councilor Medvigy.

OLSON: If there are amendments made, it could be a problem I think is the question, so... I don't know if we need an action to close the hearing today, but if we do, I would move that we close the hearing.

MEDVIGY: I'll second that motion to close the hearing today so it's well stated and clear.

BOWERMAN: Discussion? It's been moved to close the public hearing today. All those in favor signify by saying aye.

OLSON: AYE

MEDVIGY: AYE

LENTZ: AYE

BOWERMAN: Opposed.

BOWERMAN: NAY

RYLANDER: NO

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BOWERMAN: The vote is 3 to 2 and, therefore, the hearing is closed today, that motion passes. I think is there anything else on this that needs to be done or are we finished for today, Kathleen?

OTTO: We're finished for today. Thank you.

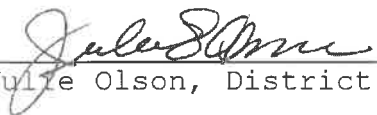
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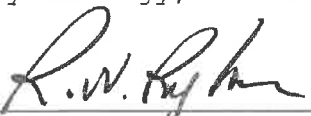
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Karen Dill Bowerman, Chair, District 3


Temple Lentz, District 1


Julie Olson, District 2


Gary Medvigy, District 4


Richard Rylander, District 5



ATTEST:


Rebecca Messinger, Clerk to the Council

Minutes Transcribed by:
Cindy Holley, Court Reporter/Rider & Associates, Inc.

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360.693.4111